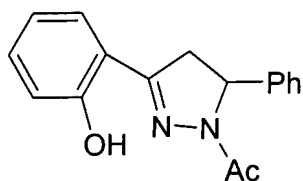


### REMARKS

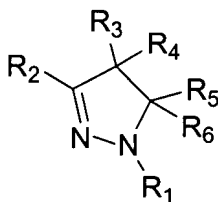
Claims 3, 4, 6-13, 15, 16, 23-25, 35 and 36 are pending in the instant application. Claims 3 and 4 have been rejected. Claims 3, 4, 6 and 8-10 have been objected to. Claims 7, 11-13, 15, 16, 23-25, 35 and 36 have been cancelled as they are drawn to non-elected subject matter. Claims 3, 4, 6 and 8-10 have been amended. After entry of this amendment, Claims 3, 4, 6, 8, 9 and 10 will remain pending.

#### Rejection of Claims 3 and 4 under 35 USC §102(b)

The Examiner has rejected Claims 3 and 4 under 35 U.S.C. §102(b), as being anticipated by Chimenti, et al. (European Journal of Medicinal Chemistry 1992, 27(6), 633-9). The Examiner contends that Chimenti, et al. teaches the 1-acetyl-3-(2-hydroxyphenyl)-5-phenyl-4,5-dihydro-1H-pyrazole (Compound 2a, Table 1, page 635), which allegedly anticipates the genus in Applicants' Claims 3 and 4:



Chimenti et. al.  
Compound 2a



Species from Claims 3 and 4 that  
allegedly is anticipated by Chimenti et al.  
where R1 = (C=O)CH<sub>3</sub>; R2 = Phenoxy  
R3 = R4 = R5 = H; R6 = phenyl

Without conceding correctness of the Examiner's argument, but to further the prosecution of the instant application, Applicants have amended Claims 3 and 4 to remove 1-acetyl-3-(2-hydroxyphenyl)-5-phenyl-4,5-dihydro-1H-pyrazole. The instant amendment precludes the substitution of phenoxy at the 3 position of the 4,5-dihydro-1H-pyrazole (Applicants' R<sup>2</sup> position). In light of this amendment, this rejection should be rendered moot. Accordingly, Applicants respectfully request the rejections of Claims 3 and 4 under 35 USC §102(b), be withdrawn.

#### Objection of Claims 3, 4, 6 and 8-10

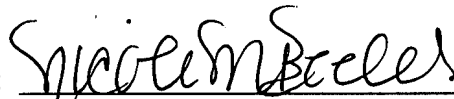
The Examiner has rejected Claims 3, 4, 6 and 8-10 for containing non-elected subject matter. Applicants have amended the instant claims to remove the non-elected subject

matter. In light of these amendments, this objection should be rendered moot. Accordingly, Applicants respectfully request the objection of Claims 3, 4, 6 and 8-10, be withdrawn

If a telephonic communication with the Applicants' representative will advance the prosecution of the instant application, please telephone the representative indicated below. Applicants believe no additional fees are due but the Commissioner is authorized to charge any fees required in connection with this response to Merck Deposit Account No. 13-2755.

Respectfully submitted,

By:



Nicole M. Beeler

Registration No. 45,194

Attorney for Applicants

MERCK & CO., INC.

P.O. Box 2000 - RY 60-30

Rahway, New Jersey 07065-0907

Telephone No. (732) 594-1077

Date: June 19, 2007